

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

STEVEN THARP, Individually and On Behalf  
of All Others Similarly Situated,

Plaintiff,

v.

ACACIA COMMUNICATIONS, INC.,  
MURUGESAN SHANMUGARAJ, and JOHN  
F. GAVIN,

Defendants.

KAREN COLGAN, Derivatively on Behalf of  
ACACIA COMMUNICATIONS, INC.,

Plaintiff,

v.

MURUGESAN SHANMUGARAJ, BENNY P.  
MIKKELSEN, JOHN F. GAVIN, FRANCIS J.  
MURPHY, BHUPENDRA C. SHAH,  
CHRISTIAN J. RASMUSSEN, MEHRDAD  
GIVEHCHI, VINCENT T. ROCHE, STAN J.  
REISS, ERIC A. SWANSON, PETER Y.  
CHUNG, and JOHN RITCHIE,

Defendants,

and

ACACIA COMMUNICATIONS, INC.,

Nominal Defendant.

No. 17-cv-11504-WGY  
(LEAD DOCKET)

**PLAINTIFFS' COUNSEL'S MOTION  
FOR ATTORNEYS' FEES,  
REIMBURSEMENT OF EXPENSES,  
AND PAYMENT OF SERVICE AWARDS**

No. 17-cv-12350-WGY

[Caption continued on next page.]

JONATHAN WONG, Derivatively on Behalf  
of ACACIA COMMUNICATIONS, INC.,

Plaintiff,

v.

MURUGESAN SHANMUGARAJ, JOHN F.  
GAVIN, BENNY P. MIKKELSEN, FRANCIS  
J. MURPHY, BHUPENDRA C. SHAH,  
CHRISTIAN J. RASMUSSEN, MEHRDAD  
GIVEHCHI, ERIC A. SWANSON, STAN J.  
REISS, PETER Y. CHUNG, JOHN RITCHIE,  
and VINCENT T. ROCHE,

Defendants,

and

ACACIA COMMUNICATIONS, INC.,

Nominal Defendant.

SANDRA FARAH-FRANCO and RUSSELL  
GOURLEY, Derivatively on Behalf of Nominal  
Defendant ACACIA COMMUNICATIONS,  
INC.,

Plaintiffs,

v.

MURUGESAN SHANMUGARAJ, BENNY P.  
MIKKELSEN, PETER Y. CHUNG, STAN J.  
REISS, JOHN RITCHIE, VINCENT T.  
ROCHE, ERIC A. SWANSON, JOHN F.  
GAVIN, MEHRDAD GIVEHCHI, FRANCIS J.  
MURPHY, CHRISTIAN J. RASMUSSEN, and  
BHUPENDRA C. SHAH,

Defendants,

and

ACACIA COMMUNICATIONS, INC.,

Nominal Defendant.

No. 17-cv-12550-WGY

No. 1:18-cv-10465-WGY

**TO: ALL PARTIES AND THEIR ATTORNEYS OF RECORD**

**PLEASE TAKE NOTICE** that on December 19, 2018 at 2:00 p.m., before the Honorable William G. Young, judge of the U.S. District Court for the District of Massachusetts, located at John Joseph Moakley United States Courthouse, 1 Courthouse Way, Courtroom 18, 5th Floor, Boston, Massachusetts 02210, Plaintiffs' Counsel<sup>1</sup> hereby move this Court for an order granting their application for an award of attorneys' fees in the amount of \$1,750,000, reimbursement of expenses in the amount of \$34,367.02, and approval of nominal incentive awards in the amount of \$2,500 to be paid to each of the Plaintiffs out of Plaintiffs' Counsel's award of attorneys' fees and expenses.

Plaintiffs' Counsel hereby apply for entry of the [Proposed] Final Order and Final Judgment, concurrently filed herewith as an attachment to Plaintiffs' Motion for Final Approval of the Settlement, requesting the Court to determine: (i) whether the Settlement on the terms and conditions provided for in the Stipulation is fair, reasonable, and adequate and should be approved by the Court; (ii) whether to grant Plaintiffs' Counsel's application for an award of attorneys' fees, reimbursement of expenses, and payment of service awards; and (iii) rule on such other matters as the Court may deem appropriate.

This motion is supported by the accompanying Memorandum of Points and Authorities, the Stipulation and exhibits thereto, all pleadings and papers filed in this action, any arguments made before the Court at the hearing of this motion, and such additional evidence or argument as may be required by the Court.

DATED: November 7, 2018

Respectfully submitted,  
**SCOTT+SCOTT ATTORNEYS AT LAW LLP**

/s/ Geoffrey M. Johnson  
GEOFFREY M. JOHNSON (*pro hac vice*)

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<sup>1</sup> Unless otherwise noted, all capitalized terms shall have the same definition as set forth in the Stipulation of Settlement dated and filed with the Court on September 14, 2018. Dkt. No. 180, Ex. 1. (the "Stipulation").

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*Counsel for Plaintiff Silberberg*

**CERTIFICATE OF SERVICE**

I hereby certify that this document, filed through the CM/ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing on this 7th day of November, 2018.

*/s/ Geoffrey M. Johnson*  
GEOFFREY M. JOHNSON (*pro hac vice*)